

## TRANSMITTAL FORM FOR FILING PATENT APPLICATION

Attorney Docket No.: S&amp;H-010DX

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Date: September 12, 2003

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Application

First Named Inventor or  
Identifier: Walter Schubert

22386 U.S. PRO  
10/664678  
09/12/03



Sir:

Transmitted herewith under 37 CFR § 1.53 for filing is the patent application of:

Inventor: Walter Schubert

Entitled: USE OF SUBSTANCES WITH IMMUNOMODULATING ACTIVITY FOR THE TREATMENT OF AMYOTROPHIC LATERAL SCLEROSIS

This is a request for filing a  continuation  divisional  continuation in-part application under §1.53(b) of prior Application No. 09/802,305, filed March 8, 2001, entitled A METHOD OF BLOCKING CYTOTOXIC ACTIVITY IN PATIENTS WITH AMYOTROPHIC LATERAL SCLEROSIS USING SOLUBLE FcγRIII RECEPTORS, which is a divisional of Application No. 09/367,011, filed September 7, 1999, entitled USE OF SUBSTANCES WITH IMMUNOMODULATING ACTIVITY FOR THE TREATMENT OF AMYOTROPHIC LATERAL SCLEROSIS, which is a National Stage filing under 35 U.S.C. §371 of PCT International Application No. PCT/DE97/02883, filed on December 10, 1997.

Enclosed are:

- 11 pages of written description, claims and Abstract, inclusive
- \_\_\_\_\_ sheets of  informal  formal drawings of Figs. (one set)
- Oath or Declaration
- Newly executed (original or copy)
- Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- To be filed later
- Cover sheet and Assignment of the invention to:  
including a check in the amount of \$ \_\_\_\_\_ for recordation fee.
- Certified copy of a \_\_\_\_\_ application (if foreign priority is claimed) with letter claiming priority under Rule 55.
- Information Disclosure Statement with \_\_\_\_\_ citations
- Preliminary amendment is enclosed.
- Return receipt postcard
- Small entity status is entitled to be, and hereby is, asserted for this application.

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TRANSMITTAL FORM FOR FILING PATENT APPLICATION (CONTINUED) Other:

Priority is claimed under 35 USC § 120 as indicated on the attached sheet 4.

Priority is claimed under 35 USC §119(a)-(d) as indicated on the attached sheet 4.

Priority is claimed under 35 USC §119 (e) as indicated on the attached sheet 4.

\_\_\_\_\_ is hereby appointed Associate Attorney by:  
Registration No.:

\_\_\_\_\_  
Attorney of Record:  
Registration No.:

Power of Attorney in the originally-filed application has been granted to one or more of the registered attorneys listed below. The attorneys listed below not previously granted power in the originally-filed application, as well as \_\_\_\_\_, are hereby given associate power:  
Registration No.:

Stanley M. Schurigin, Reg. No. 20,979  
Charles L. Gagnebin III, Reg. No. 25,467  
Victor B. Lebovici, Reg. No. 30,864  
Beverly E. Hjorth, Reg. No. 32,033

Holliday C. Heine, Reg. No. 34,346  
Gordon R. Moriarty, Reg. No. 38,973  
James F. Thompson, Reg. No. 36,699

Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee.

Add in this application claims \_\_\_\_\_ per amendment before calculating fee.

CLAIMS FILED:	MINUS BASE:	EXTRA CLAIMS:	RATE:	BASIC FEE:
				\$750.00
Independent	1 - 3	= 0	x \$84.00 =	0
Total	7 - 20	= 0	x \$18.00 =	0
<input type="checkbox"/> Multiple Dependent Claims (1st presentation)			+ \$280.00 =	0
<b>SUBTOTAL FILING FEE</b>				\$750.00
Small Entity filing, divide by 2. (Small Entity status must be asserted.)				\$375.00
<b>TOTAL FILING FEE</b>				\$375.00

**TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)**

The filing fee has been calculated above; a check in the amount of \$375.00 is enclosed.

The filing fee will be submitted at a later date.

In the event a Petition for Extension of Time under 37 CFR §1.17 is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

The Commissioner is hereby authorized to charge payment of any additional filing fees under 37 CFR §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

Customer Number 207

which is associated with the Law Firm of:  
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\_\_\_\_\_  
Attorney of Record: Charles L. Gagnebin III  
Registration No. 25,467

Attorney Docket No.: S&amp;H-010DX

**TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)**

Priority is claimed under 35 USC § 120 of prior Application(s) No. 09/802,305, filed March 8, 2001, entitled A METHOD OF BLOCKING CYTOTOXIC ACTIVITY IN PATIENTS WITH AMYOTROPHIC LATERAL SCLEROSIS USING SOLUBLE Fc<sub>Y</sub>RIII RECEPTORS, which is a divisional of Application No. 09/367,011, filed September 7, 1999, entitled USE OF SUBSTANCES WITH IMMUNOMODULATING ACTIVITY FOR THE TREATMENT OF AMYOTROPHIC LATERAL SCLEROSIS, which is a National Stage filing under 35 U.S.C. §371 of PCT International Application No. PCT/DE97/02883, filed on December 10, 1997.

[ ] The above-identified application(s) is/are assigned of record to:

[ ] Priority is claimed under 35 USC § 119 (a)-(d) of the following application(s).

(Application Number)	(Country)	(Filing Date)

[ ] The above-identified application(s) is/are assigned of record to:

[ ] Priority is claimed under 35 USC § 119 (e) of the following provisional application(s).

(Application Number)	(Filing Date)

[ ] The above-identified provisional application(s) is/are assigned of record to:

**SUBMIT IN TRIPPLICATE**

CLG:mes/295876-1

WEINGARTEN, SCHURGIN,